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**FILED**  
DISTRICT COURT OF GUAM

MAR - 3 2006 *ap*

MARY L.M. MORAN  
CLERK OF COURT

12 **IN THE UNITED STATES DISTRICT COURT**  
13 **FOR THE DISTRICT OF GUAM**

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 vs.

17 CHRISTOPHER M. ESPINOSA  
18 and BRIAN WILLIAM ELM,

19 Defendants.

CRIMINAL CASE NO. 05-00053

**UNITED STATES'**  
**[PROPOSED]**  
**SPECIAL VERDICT FORMS**

20 COMES NOW the United States and provides the proposed Special Verdict Form for use  
21 concerning defendants, CHRISTOPHER M. ESPINOSA and BRIAN WILLIAM ELM.

22 Respectfully submitted this 32 day of March, 2006.

23 LEONARDO M. RAPADAS  
24 United States Attorney  
25 Districts of Guam and NMI

26 By: 

27 RUSSELL C. STODDARD  
First Assistant U.S. Attorney

ORIGINAL

1  
2 **IN THE UNITED STATES DISTRICT COURT**  
3 **FOR THE DISTRICT OF GUAM**  
4

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 vs.

8 CHRISTOPHER M. ESPINOSA  
and BRIAN WILLIAM ELM,

9 Defendant.  
10

CRIMINAL CASE NO. 05-00053

**SPECIAL VERDICT FORM**

11 **COUNT 1 - CONSPIRACY TO DISTRIBUTE METHAMPHETAMINE**  
12 **HYDROCHLORIDE**

13 We, the Jury, in the above-entitled action, hereby FIND the defendant, CHRISTOPHER  
14 M. ESPINOSA: Violation of Title 21, United States Code, Sections 841(a)(1),(b)(1)(A)(viii)  
15 and 846:

16 / / NOT GUILTY

17 / / GUILTY

18  
19 as charged in Count 1 of the Third Superseding Indictment.

20 1. If you find the defendant CHRISTOPHER M. ESPINOSA guilty as charged in Count  
21 1 of the Third Superseding Indictment, do you unanimously find beyond a reasonable doubt that  
22 the controlled substance that defendant CHRISTOPHER M. ESPINOSA conspired to distribute  
23 was methamphetamine hydrochloride?

24 \_\_\_\_\_ Yes

25 \_\_\_\_\_ No  
26  
27

1           2. If you find beyond a reasonable doubt that the controlled substance CHRISTOPHER  
2 M. ESPINOSA conspired to distribute was methamphetamine hydrochloride, do you  
3 unanimously find beyond a reasonable doubt that the total amount of methamphetamine  
4 hydrochloride defendant CHRISTOPHER M. ESPINOSA either directly distributed or agreed,  
5 understood, or reasonably could have foreseen would be distributed by other co-conspirators in  
6 furtherance of the conspiratorial agreement was:

7           \_\_\_\_\_ at least 50 grams or more of methamphetamine hydrochloride;

8           OR

9           \_\_\_\_\_ at least 5 grams but less than 50 grams of methamphetamine  
10 hydrochloride;

11           OR

12           \_\_\_\_\_ a detectable amount but less than 5 grams of methamphetamine  
13 hydrochloride.

14  
15 DATED this \_\_\_\_\_ day of March, 2006, at Hagatna, Guam.

16  
17 FOREPERSON  
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2  
3 **IN THE UNITED STATES DISTRICT COURT**  
4 **FOR THE DISTRICT OF GUAM**

5  
6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 vs.

9 CHRISTOPHER M. ESPINOSA  
and BRIAN WILLIAM ELM,

10 Defendant.

CRIMINAL CASE NO. 05-00053

**SPECIAL VERDICT FORM**

11  
12 **COUNT I - CONSPIRACY TO DISTRIBUTE METHAMPHETAMINE**  
13 **HYDROCHLORIDE**

14 We, the Jury, in the above-entitled action, hereby FIND the defendant, BRIAN  
15 WILLIAM ELM: Violation of Title 21, United States Code, Sections 841(a)(1),(b)(1)(a)(viii)  
16 and 846:

17  
18 / / NOT GUILTY

19 / / GUILTY

20 as charged in Count 1 of the Third Superseding Indictment.

21 1. If you find the defendant BRIAN WILLIAM ELM guilty as charged in Count 1 of  
22 the Third Superseding Indictment, do you unanimously find beyond a reasonable doubt that the  
23 controlled substance that defendant BRIAN WILLIAM ELM conspired to distribute was  
24 methamphetamine hydrochloride?

25 \_\_\_\_\_ Yes

26 \_\_\_\_\_ No

2. If you find beyond a reasonable doubt that the controlled substance BRIAN WILLIAM ELM conspired to distribute was methamphetamine hydrochloride, do you unanimously find beyond a reasonable doubt that the total amount of methamphetamine hydrochloride defendant BRIAN WILLIAM ELM either directly distributed or agreed, understood, or reasonably could have foreseen would be distributed by other co-conspirators in furtherance of the conspiratorial agreement was:

\_\_\_\_\_ at least 50 grams or more of methamphetamine hydrochloride;

OR

\_\_\_\_\_ at least 5 grams but less than 50 grams of methamphetamine hydrochloride;

OR

\_\_\_\_\_ a detectable amount but less than 5 grams of methamphetamine hydrochloride.

DATED this \_\_\_\_\_ day of March, 2006, at Hagatna, Guam.

FOREPERSON